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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

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MANUFACTURERS ALLIANCE
INSURANCE COMPANY,

Plaintiff,

v.

ALLERTON CHARTER COACH, INC.,
DENNIS TOEPPEN and THE PEOPLE OF
THE STATE OF ILLINOIS ex rel LISA
MADIGAN, Attorney General of the State of
Illinois,

Defendants.

Case No.: 1:18-cv-04013
Honorable Matthew F. Kennelly

FILED

AUG 21 2018

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

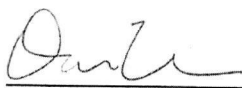
MOTION TO VACATE DEFAULT

Pursuant to Federal Rule 60(b), Movant states the following grounds for this Motion to Vacate Default:

1. Rule 60(b)(1) of the Federal Rules of Civil Procedure allows for relief from an order of default for mistaken inadvertent surprise or excusable neglect.
2. Defendant, Allerton Charter Coach, Inc., has learned that it was defaulted by this Court upon motion of the Plaintiff on August 7, 2018.
3. Defendant is currently involved in litigation brought against it by the State of Illinois Attorney General which has consumed much of Defendant's time and energy.
4. As a result to the ongoing litigation against this Defendant by the State of Illinois, Defendant inadvertently failed to file an answer to Plaintiff's Complaint in this cause.
5. No prejudice shall result to Plaintiff should the Court grant Defendant's Motion to Vacate the Default Judgment entered on August 7, 2018, as one of the Defendants, Dennis Toeppen, has yet to be served and the State of Illinois has not filed a response to Plaintiff's Complaint as of this date.

WHEREFORE, Defendant, ALLERTON CHARTER COACH, prays that this Court grant its Motion to Vacate Default Judgment entered against it on August 7, 2018, and allow Defendant 21 days with which to file an answer to Plaintiff's Complaint and grant any further relief this Court deems just and proper.

ALLERTON CHARTER COACH, INC.,
DENNIS TOEPPEN, Defendants,

BY:  8/17/18

PROOF OF SERVICE

The undersigned Defendant, certifies that I electronically filed **Motion to Vacate Default Judgment** with the United States District Court on the _____ day of August, 2018.

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I further certify that I served a copy of the foregoing document(s) on the following parties or their counsel of record ~~via email~~ on the 21st day of August, 2018.

via USPS

BY:  _____